

REMARKS/ARGUMENTS

The Applicants have carefully considered this Application in connection with the Examiner's Action and respectfully request reconsideration of this Application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-19 in the Application. The Applicants have amended Claims 1 and 11 and have canceled Claims 4 and 14 without prejudice or disclaimer. Accordingly, Claims 1-3, 5-13, and 15-19 are currently pending in the Application.

I. Rejection of Claims 1-19 under 35 U.S.C. §102

The Examiner has rejected Claims 1-19 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2004/0185959 to Yoo ("Yoo"). As the Examiner is no doubt aware, anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference; the disclosed elements must either be disclosed expressly or inherently and must be arranged as in the rejected claims.

Amended Claim 1 is generally directed to a communication subscriber device. The communication subscriber device comprises a subscriber basic unit and an audio/speaking unit, detachably interengageable with the subscriber basic unit, that provides audio and speaking functionality for the subscriber basic unit. *The subscriber basic unit comprises a charging station for the audio/speaking unit.* (Emphasis added)

Yoo is generally directed to a phone handset having a speaker and a microphone which are connected by a flexible connector to form a connected unit, wherein the connected unit is detachable from the handset to form a headset. (Abstract).

Regarding dependent Claim 4, which is now substantially incorporated into independent amended Claim 1, the Examiner states: "Yoo teaches the communication subscriber device wherein said subscriber basic unit comprises a charging station for said audio/ speaking unit (Paragraph 0053: Yoo teaches the wireless connected unit 607 preferably includes an independent power source 634 for powering the connected unit when in use as a headset)." (Examiner's Action, page 3).

Paragraph [0053] of Yoo states:

FIG. 6 is an exemplary schematic illustration of a phone handset 600 having a wireless *detachable* connected unit 607 according to an aspect of the present invention. The wireless connected unit 607 preferably includes an independent power source 634 for powering the connected unit when in use as a headset, as well as an independent volume control 615. The power source 634 may comprise, e.g., a battery pack attached to/carried within the wireless connected unit 607. (Emphasis added).

The Applicants respectfully traverse the characterization of Yoo, made by the Examiner, that Yoo teaches a communication subscriber device wherein the subscriber basic unit comprises a charging station for said audio/ speaking unit, as is now claimed and substantially incorporated into amended Claim 1. In the cited passage of Yoo, the wireless *detachable* connected unit 607 contains independent power source 634. However, the wireless detachable connected unit 607 which has the power source 634 is not a subscriber basic unit of amended Claim 1. Instead, the wireless detachable connected unit 607 detaches from phone handset 600. Nor is there a disclosure or a

teaching within Yoo that the independent power source 634 of the phone handset 600 comprises a charging station for the wireless detachable connected unit 607.

Therefore, Yoo does not disclose each and every element of Claim 1 and as such, is not an anticipating reference. Nor, for analogous reasons is Yoo an anticipating reference for Claim 11. Because Claims 2-3, 5-10, 12-13, and 15-19 are variously dependent upon Claims 1 and 11, Yoo also cannot be an anticipating reference for Claims 2-3, 5-10, 12-13, and 15-19. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102(e) rejection with respect to these Claims.

II. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-3, 5-13, and 15-19.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink, appearing to read 'D. Hitt', is written over the printed name 'David H. Hitt'.

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